



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Division Director

November 4, 2003

Paula Doughty
Kennecott Utah Copper Corporation
12000 West 2100 South
P.O. Box 6001
Magna, Utah 84044-6001

Re: Comments on Southwest Jordan Valley Groundwater Cleanup Project Proposal,
M/035/002-NRD, Salt Lake County, Utah

Dear Ms. Doughty:

This letter is in response to your October 23, 2003 letter concerning our comments to Dr. Dianne Nielsen, NRD Trustee, on the Joint Proposal of Kennecott and JWCD to the State Trustee for Natural Resource Damages to the Southwestern Jordan Valley Aquifer. Your particular concern was the following comment.

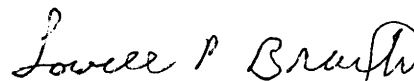
The proposal states that waste from the Zone A RO plant and the extracted acid core water will be disposed of through the slurry pipelines into the tailings pond. The pipeline is within the Copperton Concentrator permit area (M/035/011) and the North Tailing Impoundment is within the Northern Impoundment permit area (M/035/015). The mining and reclamation permits and reclamation bonds for the use of these facilities for waste disposal from the RO plant have not been amended for this use. These activities are not authorized and may not proceed until the appropriate mine permits have been amended, and if needed, the reclamation bond adjusted.

Your letter points out some very good reasons as to why the proposed proposal will not have a negative affect on the Copperton Concentrator permit and North Tailings Impoundment permit. OGM did participate in the Technical Review Committee (TRC) and commented on the Remedial Design (RD) and Record of Decision (ROD) to ensure this. Our role in the TRC was to review the RD and the ROD and not the existing OGM permits. Since a Remedial Design has finally been approved now is the appropriate time to amend the respective OGM permits. We ask that you include a discussion of how the waste stream will be routed through each permit area, the facilities involved and the reclamation of those facilities. Our staff will then determine if the bond requires modification.

Paula Doughty
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Our staff is available to work with you to identify the permitting requirements required. If you have any questions or comments concerning this condition, please contact Wayne Hedberg at (801) 538-5286 or Mary Ann Wright at (801) 538-5306.

Sincerely,

A handwritten signature in cursive script, reading "Lowell P. Braxton".

Lowell P. Braxton, Director
Division of Oil, Gas & Mining

LPB:SW:vs

cc: Dr. Dianne Nielsen, DEQ
Wayne Hedberg, DOGM

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